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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
MINUTES

The New Motor Vehicle Board ("Board") held a Special meeting on March 18, 2008, at the Hilton Los Angeles Airport, Newport C Room, 5711 West Century Boulevard, Los Angeles, California.

2. **ROLL CALL**

Robert T. (Tom) Flesh, Vice President of the Board, called the meeting of the Board to order at 11:07 a.m.

Present:	Robert T. (Tom) Flesh	William G. Brennan, Executive Director
	Haig Papaian	Howard Weinberg, General Counsel
	Glenn E. Stevens	Robin Parker, Senior Staff Counsel

Absent: Ryan L. Brooks

3. **ORAL ARGUMENTS BEFORE THE PUBLIC MEMBERS OF THE BOARD**

WALKER MANAGEMENT, INC., dba GOOD TIMES KAWASAKI SUZUKI DUCATI
v. DUCATI NORTH AMERICA, INC.
Protest No. PR-2048-07

Oral arguments were presented before the Public members of the Board. Michael M. Sieving of the Law Offices of Michael M. Sieving represented Protestant. Dean Bunch of Sutherland Asbill & Brennan LLP represented Respondent.

4. **CLOSED EXECUTIVE SESSION DELIBERATIONS**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board convenes in closed Executive Session to deliberate the decisions reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

CONSIDERATION OF PROPOSED DECISION

WALKER MANAGEMENT, INC., dba GOOD TIMES KAWASAKI SUZUKI DUCATI
v. DUCATI NORTH AMERICA, INC.

Protest No. PR-2048-07

Consideration of the Administrative Law Judge's Proposed Decision, by the Public Members of the Board.

The Public Members of the Board deliberated in closed Executive Session. Mr. Papaian moved to remand the Administrative Law Judge's Proposed Decision. The Proposed Decision is remanded to the Administrative Law Judge to consider the good cause factor in Vehicle Code section 3063(b). The remand is limited to the impact of a new Ducati dealer on Protestant's Ducati franchise's sales and service. Mr. Stevens seconded the motion. The motion carried unanimously.

5. **OPEN SESSION**

The Public Members returned to Open Session. Mr. Flesh thanked counsel for their comments and asked Robin Parker to announce the decision in Agenda Item 4.

6. **ADJOURNMENT**

Mr. Papaian moved to adjourn the meeting. Mr. Stevens seconded the motion. With no further business to discuss, the meeting was adjourned at approximately 12:45 p.m.

Submitted by

WILLIAM G. BRENNAN
Executive Director

APPROVED: _____

Alan J. Skobin
President
New Motor Vehicle Board